IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT NO.3984 OF 1990

Union Bank of India Plaintiffs
versus
Satyawan Babji Sawant
and E.M.Alwe Defendants

Mr.Subodh Joshi i/by M/s.Lokhandwala & Co. for plaintiff.

Mr.H.N.Walawalkar for defendants.

CORAM : A.M.KHANWILKAR, J.
DATE : 12th October 2007

PC :-

1. Defendant no.1 has expired long back. This fact is noted in the order dated 2nd August 1996. Inspite of opportunity no steps have been taken by the plaintiffs to bring on record the heirs and legal representatives of defendant no.1. The suit against defendant no.1 has, therefore, abated long back.

2. It is now stated by the advocate on record for the defendant no.2 that even defendant no.2 has expired on 23rd July 2001 which fact was informed to the advocate for plaintiffs on 30th July 2007 which according to the advocate for the plaintiff has been received only on 7th August

2007. The plaintiffs have not taken out any application inspite of that intimation. The suit against defendant no.2 has also abated. Ordered accordingly. As there are no other defendants, papers be sent to the department.

(A.M.KHANWILKAR, J.)